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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel W. Motl

Application No: 10/698,156

Filing Date: October 31, 2003

Title: Material Stock Advancing
Apparatus and Method

Group Art Unit: 3722

Examiner: Willmon Fridie, Jr.

Date: February 18, 2005

APPLICANT'S INTERVIEW SUMMARY

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 18, 2005.

2/18/2005

Michael A. Mochinski
PTO Reg. No. 42,900

Date of Signature

Honorable Commissioner of Patents and Trademarks

Sir:

Applicant respectfully requests entry into the record of this matter the following as it pertains to a telephonic interview held with the Examiner on February 17, 2005.

I. All participants: 1) Willmon Fridie, Jr., Examiner; 2) Michael A. Mochinski, Applicant's Representative

II. Date of interview: February 17, 2005

- III. Type of interview: Telephonic
- IV. Exhibit shown or demonstration conducted during interview: None
- V. Claims discussed during interview: Independent claims 1 and 22 and dependent claims 2-4, 6, 8-12, and 23-29.
- VI. Identification of prior art references discussed during interview: Lasi *et al.* (U.S. Pat. 6,095,022)
- VII. Agreement with respect to the claims: dependent claims 23-29 would be considered allowed given that each depend from an allowable base claim (i.e., independent claim 22) as provided for in the Office Action dated November 18, 2004.
- VIII. Substance of interview describing the general nature of what was discussed:

A) Rejection of claims 1-4 and 6 under 35 U.S.C § 102(b) notably in view of Lasi. Applicant suggested amending independent claim 1 to include further description of the plunger assembly structure as provided for in claim 8. In other words, the combined subject matter of claims 1 and 8 would structurally distinguish the present invention over Lasi, which is in accord with the Examiner's remark in the Office Action that provides for allowance of claim 8 if re-written in form to include the limitations of the base claim. In this instance, dependent claims 2-4 and 6 without further limitation should be allowable since each of these claims would now depend from an allowable base claim (i.e., independent claim 1 as amended).

B) Objection of claims 8-12 and 14. Applicant noted that the objections can simply be addressed by combining the subject matter of claims 1 and 8 as discussed above in A) to avoid Lasi as an applicable art reference. Applicant suggested amending claims 9-11 to the extent that each would directly depend from an allowable base claim, namely independent claim 1 as amended. It was further noted by Applicant that claims 12 and 14 as originally filed would not be amended given that each claim depends from an allowable base claim.

C) Absence of claim 7 in Office Action. Applicant made note that the subject matter pertaining to claim 7 was not addressed in the Office Action. It was discussed that Applicant would address in his response to the Office Action any issues which may hinder allowance of claim 7.

IX. General results or outcome of interview: Examiner noted that Lasi may be avoided if independent claim 1 comprises further limitation as it pertains to the plunger assembly structure. Other claim rejections would be addressed by referencing each of the dependent claims to an allowable base claim. Dependent claims 23-29, as originally filed, would be considered allowed given that each depend from an allowable base claim (i.e., claim 22) as provided for in the Office Action:

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael A. Mochinski', written over a horizontal line.

Michael A. Mochinski
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